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SUBJECT: SECURING IRAQI SUPPORT TO PROPOSE AN UNSCR TO SANCTION INDIVIDUALS/ENTITIES THREATENING STABILIZATION EFFORTS IN IRAQ

Classified By: IO PDAS JAMES B. WARLICK, FOR REASONS 1.4 (B) AND (D)

¶1. (U) This is an action request. Please see paragraph ¶5.

BACKGROUND

¶2. (S) The Deputies Committee tasked State with laying the groundwork for a UN Security Council Resolution that would sanction those who threaten the peace or stability of Iraq similar to the measures outlined in Executive Order 13438, which the President signed on July 17, 2007. The UNSCR, like the E.O., would target individuals/entities supporting insurgents in Iraq with an asset freeze, travel ban and possibly an arms embargo.

The E.O. was expedited through the interagency process at the request of military leaders on the ground in Iraq who saw the need for a tool to help stem the insurgency. Such action could not be taken within the scope of existing authorities (including: E.O. 13224/UNSCR 1267, which in the Iraq context has been used to target al Qaida in Iraq and facilitators of AQI; and E.O. 13315/UNSCR 1518, which allows for designation of former regime elements connected to Saddam Hussein). Designations under E.O. 13438 have thus far targeted individuals/entities operating from Syria or Iran, but can be used to target individuals/entities in any jurisdiction or country whose actions fall within the purview of the E.O. If the U.S. leads this effort, the proposal could be misperceived. We therefore believe it is essential that the Government of Iraq lobby for international support for such a resolution as a means to protect Iraqi citizens and bolster security in Iraq. The GOI would ideally work through a member of the Security Council, possibly the Libyans, to propose this resolution. Though we are prepared to work with the Iraqis on draft language for the resolution, and are presently vetting internally a balanced and effective target set (that would include Iraqis), the Iraqis will need to be prepared to take the lead publicly to secure international support for this effort.

¶3. (S) The Treasury Attaché in Baghdad in a late-August 2007 briefing suggested to the GOI National Security Council (NSC)-Deputies Committee that a joint USG/GOI-sponsored UNSCR would strengthen the effect of E.O. 13438 by enabling the international community to impose targeted financial measures against individuals and entities that threaten the peace and stability in Iraq. The Deputies Committee, including Iraqi Deputy National Security Advisor Dr. Safra, demonstrated great interest in the proposal and asked the USG to assist in drafting the resolution and getting it before the appropriate UN bodies. In mid-September 2007, the USG interagency agreed

to suspend USG-GOI dialogue on the UNSCR initiative until the mandate renewal for the Multinational Forces - Iraq (MNF-I) was completed. However, during the course of subsequent discussions with Embassy officials in Baghdad, Iraqi NSC Director Dr. Rubayi, Dr. Safra, and General Radwan (Senior Advisor to Dr. Rubayi), continued to express strong support for the UNSCR and frequently inquired about the state of USG efforts to help draft the resolution. However, it is unclear if the views of these Iraqi officials reflect a formal GOI position.

¶4. (S) One issue for the GOI to consider is the fact that the Council must act under Chapter VII of the UN Charter to pass a sanctions resolution. The GOI clearly stated in the context of MNF-I mandate extension that it expected 2008 to be the last year in which the situation in Iraq would be characterized as constituting a threat to international peace and security. It should be noted that the context of this resolution is quite different from previous Chapter VII resolutions giving MNF-I its mandate in Iraq in that it would bind all member states to act outside of Iraq in support of the GOI efforts to root out insurgents seeking to undermine the elected government. The Iraqis would have to understand that difference in order to convey that message to international partners. One option that might alleviate the potential misunderstanding associated with a new Chapter VII resolution would be to revise the scope of existing sanctions imposed pursuant to UNSCR 1518 (which targets former regime elements linked to Saddam Hussein) to reflect new realities on the ground in Iraq, and so encompass those threatening the country's stability. This option might be viewed favorably by other Security Council members, particularly the Russians, who last year questioned whether the time has come to consider winding down 1518 sanctions. Also, Iraq's letter to the Security Council supporting MNF-I's mandate extension reaffirmed the importance of the ongoing work of the 1518 committee. [Note, however, that revising the scope of UNSCR 1518 would also require an additional Chapter VII resolution.]

OBJECTIVES AND ACTION REQUEST

¶5. (S/Rel to Government of Iraq) Department requests Embassy Baghdad officials approach Government of Iraq officials at the appropriate level in key ministries to explain the benefits of pursuing a UNSC sanctions resolution targeting individuals and entities threatening the peace and stability of Iraq and the Government of Iraq. The following objectives should be pursued:

Explain that U.S. government policy firmly supports efforts to obtain multilateral support for sanctions similar to those in the President's Executive Order on Iraq, particularly pursuant to an UNSCR, as action under Chapter VII would bind all UN member states to take action against listed individuals and entities that are attempting to fuel the insurgency in Iraq and undermine the democratically-elected GOI and its institutions.

Given these overall objectives, explain the benefits of the proposed UNSC resolution to the GOI and assess the willingness of the GOI to lobby, both at the UN and in Security Council capitals and with other key (particularly Middle East) governments, for international support for a sanctions resolution targeting individuals/entities that commit, direct, support, or pose a significant risk of committing acts of violence against Iraqi citizens, Iraqi Government officials, and Coalition Forces.

Explain that such a resolution will target Iraqis (including Shi'as, Sunnis, Kurds or others) and third country nationals -- many operating in and/or with the support of Syria, Iran and other countries -- aiding the insurgency and otherwise threatening peace and stability in Iraq.

Propose that a possible option is revising the scope of targeted measures imposed in UNSCR 1518 as a way to reflect new realities on the ground in Iraq which may assist the Iraqis in explaining publicly their support for expanding the scope of an existing Chapter VII action affecting Iraq.

Offer to provide the GOI draft text setting out a new targeted sanctions regime, if that is their preference, or a text that would revise the scope of UNSCR 1518, and to work together behind the scenes to facilitate development of sanctions on Iraq insurgents/supporters. Clarify to the GOI that public involvement by the USG should be limited so as to underscore Iraqi sponsorship of the resolution. The U.S. would continue to play a supportive role in the background and would help draft the resolution and select and vet targets to ensure a balanced designation package. Explain that the GOI would need to work closely with another Security Council Member, perhaps Libya, to table any draft proposal.

Reporting Deadline and Point of Contact

¶6. (U) Embassy Baghdad should report results of these discussions as soon as possible. Questions may be directed to IO/PSC (Erin Crowe, 202-736-7847) or IO/UNP (Ethan Goldrich, 202-647-0043).

¶7. (U) Department appreciates mission's assistance.

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